GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Ananthapuramu District - Allegation of corruption against Sri K.Suresh Kumar, S/o K.Raj Kumar, Mandal Revenue Officer (Retired), R/o Anantapuramu - Trapped on 20.02.2001 - Convicted - Withhold the entire pension and gratuity - Set aside the orders - Accused Officer expired - Legal heir applied for sanction of family pension - Orders of the Hon'ble High Court for release of family pension - implemented - Orders - Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.Rt.No.1092 Dated:26.12.2022

Read the following:

1. G.O.Ms.No.237, Revenue (Vig.II) Department, Dated.27.02.2007.
2. Representation Dt:07.06.2020 of Smt. K. Swarna Latha W/o Late K. Suresh Kumar (Late), Ananthapuramu.
3. G.O.Rt.No.193, Revenue (Vig.III) Department, Dt:21.03.2022
4. Orders dt:05.12.2022 of the Hon'ble High Court in W.P.No.34429 of 2014, W.P.No.3307 of 2019 and C.C.No.1187 of 2020.

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O R D E R:

Whereas, Sri K. Suresh Kumar, Mandal Revenue Officer (Retd), Kalyandurg, Ananthapuramu District was trapped by ACB authorities on 20.2.2001, when he demanded and accepted a bribe amount of Rs.1400/- from the complainant Sri V.Mohan for doing an official favour of issuing revised house site pattas to 14 beneficiaries. Government have entrusted the case to Tribunal for Disciplinary Proceedings (TDP) for causing detailed enquiry, vide Memo Dated.03.06.2002. The TDP, in its report dated.04.07.2005 in TEC No.68/2002 concluded that the charge framed against the charged officer is proved. The Accused officer Sri K. Suresh Kumar, Mandal Revenue Officer (Retd) Kalyandurg, Ananthapuramu District was retired from service on 30.06.2006. While accepting the findings of the Tribunal for disciplinary proceedings, Government have issued orders withholding pension and gratuity in full permanently in respect of Sri K. Suresh Kumar, Mandal Revenue Officer (Retd) Kalyandurg, Ananthapuramu District vide reference 1st read above.

2. Aggrieved by the above, Sri K.Suresh Kumar, former MRO (Retd), Kalyandurg has filed O.A.No.9185/2011 before the Hon'ble APAT and the Hon'ble APAT in its order dated 07.02.2014 has set-aside the orders in the 1st read above. Government have filed W.P. in the Hon'ble High Court against the above orders of the A.P.A.T. The Hon'ble High Court in W.P.No.34429/2014 has granted interim suspension on 18.11.2014.

3. In the mean while, Sri K.Suresh Kumar, former MRO (Retd), Kalyandurg was expired and his wife/legal heir Smt. K. Swarna Latha has filed a representation dt:07.06.2020 before the Government with a request to regularize the suspension period of her husband from 20.03.2001 to 03.03.2004, release of withhold increments, Encashment of Earned leave, payment of regular pension to her husband until his death, payment of service gratuity, payment of family pension etc.

4. In the reference 3rd read above, Government have made the following order and directed the Chief Commissioner of Land Administration, A.P., Vijayawada/ the Collector & District Magistrate, Ananthapuramu to take necessary further action accordingly.

(i) The suspension period of Sri K. Suresh Kumar, former Mandal Revenue Officer, Kalyandurg, Ananthapuramu District ((Retd) i.e., from 20.03.2001 to 03.03.2004 is regularized as 'not on duty' under F.R. 54(B)(7).

(ii) As per the Rule-24 (5) (a) of Fundamental Rules, the suspension period from 20.03.2001 to 03.03.2004 shall not be allowed to count towards the period necessary to earn an increment. However, the Increments for the service

(P.T.O)

period from 04.03.2004 to till date of retirement of the CO i.e 30.06.2006 have to be released and difference of amount have to be paid.

(iii) The individual is entitled for encashment of Earned Leave as per the orders issued in G.O.Rt.No.1097, Fin & Plg (FW.Pen.1) Dept, Dt:22.06.2020.

(iv) to release the provision pension for the period from the date of retirement to the date of finalization of the pending case i.e, from 01.07.2006 to 26.02.2007, as a special case in relaxation of Rule 52 (1) of APRPRs 1980.

5. In the reference 4th read above, the Hon'ble High Court has directed the respondents to pay family pension to the petitioner in W.P.No.3307 of 2019 by name Smt.K.Swarnalatha, as per her entitlement, within a period of four (4) weeks from the date of receipt of a copy of this order, failing which they are directed to appear in person before this Court along with all connected records on the next date of hearing, to assist the Court to dispose of the pending matters.

6. Government, after careful examination of the matter have decided to implement the above orders of the Hon'ble High Court and Accordingly, hereby sanction family pension to Smt. K. Swarna Latha w/o Sri K.Suresh Kumar, former MRO (Retd & expired), under Rule-50 of A.P.Revised Pension Rules, 1980, as per her entitlement, subject to the outcome of the cases pending in the Hon'ble High Court.

7. The Chief Commissioner of Land Administration, A.P., Mangalagiri/ the Collector & District Magistrate, Ananthapuramu shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To

Smt. K. Swarna Latha W/o Late K. Suresh Kumar, former MRO (Retd), Kalyandurg, Ananthapuramu District **through** the Collector & District Magistrate, Ananthapuramu.
The Chief Commissioner of Land Administration, A.P., Mangalagiri.
The Collector & District Magistrate, Ananthapuramu.

Copy to:

The Accountant General, A.P., Hyderabad/Vijayawada.
The Director of Treasuries & Accounts, Ibrahimpatnam, Vijaywada.
The G.P for Services - I, High Court of A.P, Andhra Pradesh, Amaravati.
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER